

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 1:05CR117-P-D**

**DENNIS “OIL CAN” BOYD**

**ORDER**

This cause is before the Court on the defendant’s Motion for Continuance [15]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for February 13, 2006. Counsel for defendant avers that, due to the fact that defendant is presently incarcerated in El Reno, Oklahoma and awaiting transport to the Northern District of Mississippi, he has not had the opportunity to undertake any meaningful discussions with his client. In addition, defense counsel need more time to review the discovery provided by the government in order to prepare an appropriate defense to the pending charges. The government has no objection to the defendant’s motion. Based on the foregoing, the Court finds that the defendant’s Motion for Continuance is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from February 13, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh

the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance is GRANTED;
2. That the trial of this matter is continued until Monday, March 27, 2006 at 9:00 a.m.  
in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from February 13, 2006 until March 27, 2006 is excluded as set out  
above;
4. That the deadline for filing pretrial motions is March 6, 2006;
5. That the deadline for submitting a plea agreement is March 13, 2006.

SO ORDERED, this the 10<sup>th</sup> day of January, 2006.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE